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Paper No. 31

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MAR 16 2004

OFFICE OF PETITIONS

In re Application of
Hiroshi Yamamoto et al
Application No. 09/743,492
Filed: April 30, 2001
Attorney Docket No. 19036/37023

:
:
: DECISION GRANTING PETITION
: UNDER 37 CFR 313(c)(2)
:

This is a decision on the petition, filed March 15, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 29, 2003 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

Upon receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 1644 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Supplemental Information Disclosure Statement.

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).



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Paper No. 32

Date : March 16, 2004
TO : Director, Office of Patent Publication
FROM : Office of the Deputy Commissioner
for Patent Examination Policy
SUBJECT : Withdrawal from Issue of **Application No. 09/743,492**


Applicant(s) : Hiroshi Yamamoto et al
Application No. : 09/743,492
Filed : April 30, 2001

The above-identified application has been assigned Patent No. 6,709,843 and an issue date of March 23, 2004.

It is hereby directed that this application be withdrawn from issue at the request of the applicant. Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of March 23, 2004:

"All reference to Patent No. 6,709,843 to Hiroshi Yamamoto et al of Japan for ANTIBODIES SPECIFIC FOR INTRACELLULAR DOMAIN OF PROTEIN TYROSINE PHOSPHATASE appearing in the Official Gazette of March 23, 2004 should be deleted since no patent was granted."


Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Geraldine Dozier, Crystal Park 3-441 (FAX-306-2737)
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